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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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9 No. C 07-02940 SI
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In re CONNETICS CORPORATION
SECURITIES LITIGATION

**ORDER DISMISSING COMPLAINT AS
TO DEFENDANTS YAROSHINSKY AND
ZAK**

12 Defendants Alexander Yaroshinsky and Victor Zak have filed motions to dismiss plaintiffs'
13 second amended complaint with prejudice. This motion is scheduled for hearing on February 27, 2009.
14 Pursuant to Local Rule 7-1(b), the Court determines that the matter is appropriate for resolution without
15 oral argument, and VACATES the hearing. Having considered the papers submitted, and for good cause
16 shown, defendants' motions are GRANTED.

17 Defendants moved to dismiss plaintiffs' second amended complaint on May 2, 2008. On August
18 14, 2008, the Court entered an order granting in part and denying in part defendants' motions. *See Aug.*
19 14 Order. [Docket No. 126] The order dismissed plaintiffs' claims against defendants Yaroshinsky and
20 Zak with leave to amend. *See id.* at *22. On August 29, 2008, lead plaintiff filed a notice that it would
21 not amend the complaint. Lead plaintiff does not oppose the instant motion. [Docket No. 149]
22 Accordingly, because lead plaintiff has elected not to amend its complaint as to Yaroshinsky and Zak,
23 their motions to dismiss all claims against them with prejudice are GRANTED.

24 **IT IS SO ORDERED.**

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26 Dated: February 27, 2009
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SUSAN ILLSTON
United States District Judge

United States District Court
For the Northern District of California

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